

Attorney's Docket No.: 16601-021US1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Samuel Weiss Art Unit : 2655
 Serial No. : 10/523,253 Examiner : Unknown
 Filed : January 26, 2005
 Title : OLIGODENDROCYTE PRODUCTION FROM MULTIPOTENT NEURAL
 STEM CELL

Mail Stop 16
 Director of the U.S. Patent and Trademark Office
 P.O. Box 1450
 Alexandria, VA 22313-1450

RECEIVED
 CENTRAL FAX CENTER
 AUG 24 2005

REQUEST FOR REFUND

On January 26, 2005, Applicant paid the required fees for the filing of the above-referenced application under 35 U.S.C. 371 and 37 C.F.R. 1.495 by way of an enclosed check in the amount of \$1,000. The fee amount was calculated as follows:

Basic national fee	\$300
Examination fee	\$200
Search fee	\$500 (Applicant error—should be \$400 pursuant to 37 C.F.R. 1.492(b)(2))
Claims in excess of 20	<u>\$1000</u>
Total due (small entity – reduced by 1/2)	\$1000

On July 31, 2005, a fee in the amount of \$1000 was charged to Fish & Richardson's Deposit Account No. 06-1050. On the same day, a refund in the amount of \$100 was credited to Fish & Richardson's Deposit Account No. 06-1050, making the total fee paid by Applicant \$1900. The PTO apparently calculated the extra fee using large entity fees as follows:

Basic national fee	\$300
Examination fee	\$200
Search fee	\$400 (correct fee)
Claims in excess of 20	<u>\$1000</u>
Total due	\$1900

CERTIFICATE OF TRANSMISSION BY FACSIMILE

I hereby certify that this correspondence is being transmitted by facsimile to the Patent and Trademark Office on the date indicated below.

Adjustment date: 11/09/2005 RWHITE1
 02/10/2005 GFREY1 00000024 10523253

Date of Transmission 03 FC:1633 308.00 00
 01 August 24, 2005 -100.00 00

Signature Melissa Alexander 11/09/2005 RWHITE1 00000015 10523253

Melissa Alexander
 Typed or Printed Name of Person Signing Certificate

100.00 00
 100.00 00

Applicant : Samuel Weiss
Serial No. : 10/523,253
Filed : January 26, 2005
Page : 2 of 2

Attorney's Docket No.: 16601-021US1

This application is entitled to small entity status, so the total fee should be \$950. Attached is a copy of the Transmittal Letter retrieved from PAIR for this application, which indicates that small entity status was properly claimed at the time of filing.

In summary, the correct total due on this application is \$950. Applicant overpaid in the amount of \$50. The PTO then incorrectly charged \$900 to Deposit Account No. 06-1050. In accordance with 37 C.F.R. §1.26(a), Applicant respectfully requests that the overcharged amount of \$950 be refunded to Fish & Richardson's Deposit Account No. 06-1050.

Respectfully submitted,

Date: Aug. 24, 2005


Ping F. Hwung
Reg. No. 44,164

Fish & Richardson P.C.
500 Arguello Street, Suite 500
Redwood City, California 94063
Telephone: (650) 839-5070
Facsimile: (650) 839-5071

50292120.doc

Repln. Ref: 11/09/2005 RWHITE1 0013402360
DAW:061050 Name/Number:10523253
FC: 9204 \$250.00 CR

Adjustment date: 11/09/2005 RWHITE1
07/25/2005 WALVARAD 00009074 D61050 10523253
PAGE 3/5 * RCVD AT 8/24/2005 2:24:21 PM [Eastern Daylight Time] * SVR:USPTO-EFXRF-6/29 * DNIS:2738300 * CSID:6508395071 * DURATION (mm:ss):01:38

FISH & RICHARDSON P.C.

SUBSTITUTE FEE 160.00 1390
DTO2 Rec'd PCT/PTO 26 JAN 2005

§ TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371		ATTORNEY'S DOCKET NUMBER 16601-021US1
INTERNATIONAL APPLICATION NO. PCT/CA2003/001151	INTERNATIONAL FILING DATE 30 July 2003	U.S. APPLICATION NO. (if known, see 37 C.F.R. 1.5) unassigned 10/523253
TITLE OF INVENTION OLIGODENDROCYTE PRODUCTION FROM MULTIPOTENT NEURAL STEM CELL		
APPLICANT(S) FOR DO/EO/US Samuel Weiss		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<p>1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a submission under 35 U.S.C. § 371.</p> <p>2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a submission under 35 U.S.C. § 371.</p> <p>3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. § 371(i)). The submission must include items (5), (6), (9) and (21) indicated below.</p> <p>4. <input type="checkbox"/> The US has been elected (Article 31).</p> <p>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. § 371(c)(2))</p> <ol style="list-style-type: none"> <input checked="" type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). <input checked="" type="checkbox"/> has been communicated by the International Bureau. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). <p>6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. § 371(c)(2)).</p> <ol style="list-style-type: none"> <input type="checkbox"/> is attached hereto. <input type="checkbox"/> has been previously submitted under 35 U.S.C. § 154(d)(4). <p>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. § 371(c)(3))</p> <ol style="list-style-type: none"> <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). <input type="checkbox"/> have been communicated by the International Bureau. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. <input checked="" type="checkbox"/> have not been made and will not be made. <p>8. <input type="checkbox"/> An English language translation of amendments to the claims under PCT Article 19 (35 U.S.C. § 371(c)(3)).</p> <p>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. § 371(c)(4)).</p> <p>10. <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. § 371(o)(5)).</p> <p>Items 11 to 20 below concern document(s) or information included:</p> <p>11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 C.F.R. § 1.97 and 1.98.</p> <p>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 C.F.R. § 3.28 and 3.31 is included.</p> <p>13. <input checked="" type="checkbox"/> A preliminary amendment.</p> <p>14. <input checked="" type="checkbox"/> An Application Data Sheet under 37 C.F.R. § 1.76.</p> <p>15. <input type="checkbox"/> A substitute specification.</p> <p>16. <input type="checkbox"/> A power of attorney and/or change of address letter.</p> <p>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 C.F.R. § 1.821 - 1.825.</p> <p>18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. § 154(d)(4).</p> <p>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. § 154(d)(4).</p> <p>20. <input checked="" type="checkbox"/> Other items or information: Return postcard</p>		

CERTIFICATE OF MAILING BY EXPRESS MAIL
Express Mail Label No. EV 321 390 154 US
Date of Deposit: 08/24/05 RUHTTF126 JAHN/CC/2005 050

01 FC:2615

500.00 DA

10523253

08/24/2005 11:26 FAX 6508395071

FISH & RICHARDSON

005

NO FIRM OF RICHARDSON P.C.

SUBSTITUTE FORM PTO-1390

D Rec'd PCT/PTO 26 JAN 2005

U.S. APPLICATION NO. (if known) 1323253 INTERNATIONAL APPLICATION NO. PCT/CA2003/001151		ATTORNEY'S DOCKET NUMBER 16601-021US1		
21. The following fees are submitted:				
<input checked="" type="checkbox"/> a) Basic national fee.....		\$300		
<input checked="" type="checkbox"/> b) Examination fee.....		\$200		
<input checked="" type="checkbox"/> c) Search fee.....		\$500		
TOTAL OF ABOVE CALCULATIONS =		\$1000.00		
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.				
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE	Fee Value Accountability Deposit Account No. <i>06-1050</i>
-100 =	/50=		X \$250	\$ <i>1000.00</i>
Surcharge of \$130 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 C.F.R. 1.492(e)).				\$ <i>130</i> (\$0.00)
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$ <i>1000.00</i>
Total Claims	40 - 20 =	20	x \$50	\$ <i>1000.00</i>
Independent Claims	2 - 3 =	0	x \$200	\$ <i>0.00</i>
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360	\$ <i>0.00</i>
TOTAL OF ABOVE CALCULATIONS =				\$ <i>1000.00</i>
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 C.F.R. 1.27. The fees indicated above are reduced by 1/2.				\$ <i>500.00</i>
Processing fee of \$130 for furnishing the English Translation later than 30 months from the earliest claimed priority date (37 C.F.R. 1.492(f))				\$ <i>130</i> (\$0.00)
TOTAL NATIONAL FEE =				\$ <i>1000.00</i>
Fee for recording the enclosed assignment (37 C.F.R. 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 C.F.R. 3.28, 3.31). \$10.00 per property				\$ <i>50.00</i>
TOTAL FEES ENCLOSED =				\$ <i>1050.00</i>
				Sale Ref# 00000004 DAH# 0013451533 \$ 01 FC:1615 1000.00 Remnded:
				Amount to be charged: \$
a. <input checked="" type="checkbox"/> A check in the amount of \$1,000.00 to cover the above fees is enclosed.				
b. <input type="checkbox"/> Please charge my Deposit Account No. 06-1050 in the amount of \$0.00 to cover the above fees. A duplicate copy of this sheet is enclosed.				
c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 06-1050. A duplicate copy of this sheet is enclosed.			Refln. Ref# 07/25/2005 WALVARAD 001345100 DAI#061050 Name/Number:10523253 FC: 9206	
d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.				
NOTE: Where no appropriate time limit under 37 C.F.R. 1.495 has not been met, a petition to revive (37 C.F.R. 1.137(a) or (b) must be filed and granted to restore the International Application to pending status.				
SEND ALL CORRESPONDENCE TO:				
PTO Customer No: 26181		SIGNATURE		
		Ping F. Hwang		
		NAME Adjuster date: 11/09/2005 RWHITE1 07/25/2005 WALVARAD 00000003 10523253		
		REGISTRATION NUMBER/IC 00.00 07		

PAGE 5/5 * RCVD AT 8/24/2005 2:24:21 PM [Eastern Daylight Time] * SVR:USPTO-EFXRF-6/29 * ONIS:2738300 * CSID:6508395071 * DURATION (mm:ss) 01:38:13 200 12 17
 11/09/2005 RWHITE1 00000015 10523253
 Refln. Ref# 11/09/2005 RWHITE1 00000015 10523253
 File Date: 11/09/2005 10:52:41 AM
 Page: 5224

PATENT AND TRADEMARK
Attorney's Docket No.: 16601-021US1

OFFICIAL COMMUNICATION FACSIMILE: 205 AUG 26 2005**OFFICIAL FAX NO: (571) 273-8300**

Number of pages including this page 5

US PATENT & TRADEMARK
REGISTRY
CENTRAL FAX CENTER

AUG 24 2005

Applicant : Samuel Weiss Art Unit : 2655

Serial No. : 10/523,253

Filed : January 26, 2005

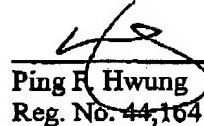
Title : OLIGODENDROCYTE PRODUCTION FROM MULTIPOTENT NEURAL
STEM CELL

Mail Stop 16
Director of the U.S. Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

Attached to this facsimile communication cover sheet is a Request for Refund, faxed this
24th day of August, 2005, to the United States Patent and Trademark Office.

Respectfully submitted,

Date: August 24, 2005


 Ping E. Hwung
 Reg. No. 44,164

Fish & Richardson P.C.
 500 Arguello Street, Suite 500
 Redwood City, California 94063
 Telephone: (650) 839-5070
 Fax: (650) 839-5071

50295703.doc

Repln. Ref: 11/09/2005 RWHITE1 0013451500
 DAH:061050 Name/Number:10523253
 FC: 9204 \$200.00 CR

NOTE: This facsimile is intended for the addressee only and may contain privileged or confidential information. If you have received this facsimile in error, please immediately call us collect at (650) 839-5070 to arrange for its return. Thank you.